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News Section *Printed in Two Sections*

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Secret History of a Week (Or the Private Life of Secretary Dulles): The international morass in which the President and Congress struggle is best understood through a picture of the precarious machinery behind our foreign policy, as follows.

Harassed by Democratic Senators, not helped — as he had hoped — by GOP Senators, confused by his surrounding bureaucrats with their conflicting pieces of advice, the unfortunate Secretary of State sadly contemplated a blooper he committed at the very first of his week.

Despite his promise to Ibn Saud that he would not move on the Israel matter without consulting the Arab king first, Dulles initiated the present diplomatic effort to get Israel to "cooperate," offering to make a deal. He thought it a "healing" move. But Ibn Saud, just arrived in Madrid, learned of it from the Spanish papers and showed his displeasure.

Dulles, alarmed lest all the putative good feeling engendered by the Ike-Ibn Saud talks be lost, phoned U. S. Ambassador John Lodge in Madrid and asked him to "explain" to the King. But all Dulles was prepared to give the Ambassador as material for "explaining" was what had already been printed in the Madrid newspapers. He apparently could not think of anything better. State Department officials fear that all the diplomatic skill lavished on Saud has now been lost.

Secret Sorrow. The unsympathetic world, meanwhile, did not know about something else that weighed down the unhappy Secretary. Only a few intimates knew. His wife was ill, not dangerously, but ill enough to give Dulles intense concern. This distraction could account for some of the blunders committed by Dulles.

The Trouble with Harry. One episode might have provided comic relief for the unhappy man, if he had a sufficiently developed sense of humor. Former President Harry Truman declined Dulles' invitation to visit Greece and Turkey to commemorate the initiation of the Truman Doctrine of aid to those states (in 1947). Dulles had thought this gesture might sweeten up the very soured relations with the ex-President — and thus lead to better cooperation from Truman in getting the Ike resolution on the Mideast passed by the Democrats. Truman declined, pleading previous engagements, in a brief telegram, which was made public.

However, in the Senate Democratic cloakroom, it was claimed that Truman also wrote Dulles a ridiculously egotistical private letter of refusal, employing a number of characteristically unprintable "Trumanisms" reminiscent of that famous letter to the music critic.

L'Affaire Herter. Nor did the world know about another cross for the Secretary to bear — newly appointed Under Secretary of State Christian Herter. Herter sent word to Dulles, expressing the fear that a number of Senators might vote against his confirmation by the Senate. If that took place, said Herter, he might withdraw. What Herter feared was that some Senators might bring up publicly a speech which he had given in Chicago on March 15, 1956 (see HUMAN EVENTS news item of December 15, 1956). In that speech Herter had urged that the U. S. join with Soviet Russia in a combined operation to give economic aid to underdeveloped countries. Publicity about that now, Herter feared, would prompt many Senators to vote against him. Dulles made a note to speak to GOP leader Knowland about this — to ask him to calm down the critics of Herter in the Senate, and avoid such a mess. As it turned out, Herter's nomination was finally confirmed by the Senate late this week without objection.

The Big Fear. And all this time the big fear was the worry that the Ike Mideast resolution might pass by only a moderate majority, instead of winning by an almost unanimous vote, as originally heralded.

Dulles felt that Knowland was of little help, for he gave out a statement saying that the Doctrine would win by "better than 2 to 1." Happily, the press did not draw the implications of the "1" — that maybe 30 Senators would vote "against." And Senator Aiken (R.-Vt.) did not make things any better when he commented that if there should be 25 votes "against," the resolution might be viewed as "one of those matters it might have been better not to bring up." Fortunately for Dulles, the press slept on that, too.

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The Bitterest Pill. Dulles' cup brimmed over when Senate Democratic Leader Lyndon Johnson and GOP Leader Knowland on February 18 bluntly told him that the Senate would vote down sanctions against Israel by at least 8 to 1.

The Secretary replied, with an effort at bravery, "I'll give you another briefing on the whole matter."

The leaders replied, in effect, "No, we don't want your briefing. We want the President to come back here and brief us himself."

And that was how President Eisenhower decided to return to Washington on Tuesday and to confer with Congressional leaders. Later that day he briefed the public in his TV address on the Israel situation.

But the picture remains of a rebellious Congress and a sorely uneasy Executive.

"How on earth did we get into this mess?" exclaimed the President angrily at his long closed-doors conference with Congressional leaders — so reports one of those present.

The Administration's "secret weapon," according to veteran observers along diplomatic row, is the possibility that — behind the scenes — Israel may be "bought off" by U.S. promises of loans and grants and Egypt by the same sort of promises. Thus the U.N. would be saved in its hour of trial not by its own power, but by "secret dollar diplomacy."

Crusade for Economy: The drive to cut down the swollen Ike Budget gained great impetus in the past few days by the action of the House in lopping $58 million from the President's request for Post Office appropriations. Mindful of the grass-roots demand for economy, Representatives beat down attempts by spenders, led by a "Modern Republican," Rep. Canfield (N.J.), to restore the cut. Canfield was backed by "special interests" — postal employees and the bureaucrats — who inspired a telegram campaign on members of Congress.

The threat wielded by these "special interests" was an old dodge — to make a drastic cut in postal services, they admonished, would be to "cut where the public will squawk the most." But, according to members who talked to HUMAN EVENTS staffers after the voting was ended, victory came because a majority heeded the sentiment among constituents for economy, rather than threats by special interests.

Strategists of the crusade for economy expressed satisfaction, but pointed out that the House should have slashed appropriations much more deeply. Hope is felt that, if the "write Congress" wave rolls up sufficiently, the Senate will go further and both Houses will develop courage to defy all sorts of "special interests" — which are the great roadblock to success in the crusade.

Capital Briefs: Administration requests for a big boost in funds for the United States Information Agency (USIA) are reportedly having a difficult time in committee, where economy-minded members are said to be drastically wielding the knife. Recognizing this situation, Arthur Larson, head of USIA and "modern Republican," is trying — it is rumored — to get President Eisenhower to make a "universal broadcast" extolling the virtues of this American propaganda organization.

● Senator Barry Goldwater (R.-Ariz.) tossed a bombshell into the Civil Rights Committee this week when he appeared in behalf of an amendment he wants the committee to adopt. The committee seeks to write legislation to protect the right of the individual to be free from discrimination "on account of race, color, religion or national origin." The Arizona Senator told the committee members: "It should have included the protection of the individual from discrimination on account of belonging or not belonging to a labor organization" — in short, the "right to work."

● A typical example of Pentagon propaganda expenditures "for public relations" has come to light. 500 women, club and church leaders, etc., from 35 cities in 11 states were transported in groups of 15 in army planes to Fort Jackson, S. C., to "watch Uncle Sam train their sons for military life."

● Reuther has asked Congress to require major corporations to give advance notice of price increases. To keep business from getting alarmed while this first step toward price control is being taken, Reuther says his proposed bureau would have no power other than to hold public hearings.

If Reuther wants only the "facts," he could get them from the Bureau of Labor Statistics. On the basis of 1947-49 prices, the BLS shows that from 1919 to 1929 prices went up 1 per cent, wages went up 19 per cent. From 1929 to 1939 prices went down 19 per cent, wages went up 12 per cent. From 1939 to 1956, prices went up 95 per cent, wages went up 212 per cent.

● Restlessness among union members was evidenced when a complete unknown, without making any campaign, ran up 56,000 votes in his race against David J. McDonald, steelworkers president. McDonald secured 120,000 votes. The USW (United Steel Workers Union) spent nearly a million dollars "holding educational conferences,"

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across the country, but the real purpose was said to be to build up McDonald support.

Kefauver: The nation's corporate community is preparing itself for another round in the role of sacrificial lamb, this time because of what Capital denizens regard as the insatiable headline hunger of Senator Estes Kefauver.

Kefauver recently was named Chairman of the Senate Judiciary Subcommittee on Monopoly, after a heated behind-the-scenes battle in which the Tennesseean was almost denied the post by the Senate Democratic leadership because of his urge for personal publicity.

Now he is bringing in his own staff to replace those put in office by the late Senator Harley Kilgore when he chaired the subcommittee, and by Senator Joseph C. O'Mahoney during his brief tenure as acting chairman. The identity of the new staffers clearly indicates to most observers that, under Kefauver, it will be a typical leftist investigation aimed at putting all big business in the worst possible light.

New staff director and co-counsel for the subcommittee is Paul Rand Dixon; new chief economist, John Blair. Both are Federal Trade Commission careerists, originally appointed under Democratic administrations and serving with Kefauver on loan; both have amply demonstrated their extreme "liberal" philosophies and their dislike of "big business" per se.

Also on the staff are three former Justice Department Anti-trust Division experts — also Truman Democrats.

Capital opinion is that Kefauver believes the Monopoly Subcommittee will be the vehicle by which he can keep his name in the headlines for the next three years, in anticipation of another stab at the Democratic Presidential nomination; he figures to make this a worthy successor to his Crime Investigating Committee, with the business community this time cast in the role of the criminal.

Educationists: Modern "progressive" education methods were unexpectedly drubbed during this week's Atlantic City meeting of the American Association of School Administrators, one of the key units of the National Education Association setup.

The drubbing was administered by Dr. T. Keith Glennan, president of Case Institute of Technology in Cleveland. Glennan told the school system officials that major blame for the nation's shortage of scientists and engineers should be laid at the doorstep of "soft" curriculum requirements in most high schools.

He said that 50 per cent of the nation's high schools do not offer a course in physics, and that a fourth offer no chemistry or geometry.

The President of the highly progressive Association, Dr. Paul K. J. Misner, bristled righteously and denied that American schools were offering "soft" curricula or neglecting science and mathematics.

The Glennan criticism was largely subordinated or omitted in newspaper stories of the meeting, which featured far more heavily the anticipated speeches in favor of heavy Federal aid programs.

Also overlooked by most newspapers was the fact that the National School Boards Association, meeting in the same Jersey shore resort just before the School Administrators convened, tabled a pro-Federal aid resolution. The School Board representatives are primarily elected laymen, rather than professional educationists; their tabling action is regarded by observers as far more indicative of grass roots opinion than the aid advocacy of the educationists.

School Aid: Attempting to condition the public for the Eisenhower $2 billion Federal school aid bill, proponents of the plan have been circulating a figure of "159,000 classrooms" needed this year. This "panic starter," as the estimate is being called, is said to have created confusion as to how many classrooms are needed to keep up with increasing school enrollment. Inquiries to HUMAN EVENTS confirm that the 159,000 figure is misunderstood by the public.

Those familiar with public education needs give the following facts:

- The 159,000 figure, obtained from a report of the Office of Education, has nothing to do with enrollment increases. It is based upon state estimates of rooms they would like to have to accommodate currently enrolled students "in excess of normal capacity," and "to replace unsatisfactory facilities." The frightening number, 159,000, does not represent additional students who will go without an education unless the classrooms are built. It is an estimate of the rooms desired to offer better facilities to students already enrolled and in class.
- The Office of Education's report stresses the fact that the figure is a "soft" one — that is, an imprecise number based on the subjective evaluation of the state educators, who want to achieve maximum improvement in the facilities they already have. "Precise measurements," states the report, "are virtually impossible, because interpretations of such terms as 'normal capacity' and 'unsatisfactory facilities' will vary in some degree from person to person, from place to place. . . ."

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● Regardless of how "pressing" the problem of these 159,000 classrooms is, the states can easily take care of it themselves, given current trends in enrollment and school construction. It is now estimated that almost 70,000 new classrooms will be built this year. This is about twice the number demanded by enrollment increases. In other words, approximately 35,000 classrooms will be available this year to retire the backlog of "unsatisfactory" and "overcrowding" shortages — whatever those shortages actually are.

Accepting the "soft" estimate of the Office of Education, then, say observers, the states themselves can substantially eliminate this problem in the next four years. On the other hand, it is pointed out, the Eisenhower proposal — which would build about 32,000 classrooms in the same four-year period — would hardly make a dent in the "crisis" it is supposed to meet.

The Party Line: The recent convention of the U.S. Communist party in New York, which adopted a resolution stating that American Reds will "interpret and apply" Marxism for themselves, excited speculation among liberal journalists as to whether the C.P.U.S.A. was going "Titoist." Columnist Roscoe Drummond, of the *New York Herald-Tribune*, noted that the "distinction" between "creatively applying" the Red line as it comes from Moscow and "interpreting" it "may sometime prove to be full of difference."

Capital observers say that Drummond and others who wistfully look for a break between American and Soviet Reds might consult the testimony of former Soviet secret police intelligence chief Alexander Orlov, given last week before the Senate Internal Security Subcommittee. Orlov stated that the American party's "declaration of independence" was a maneuver carried out on Moscow's explicit orders. "All their resolutions," he said, "had been approved in the Kremlin beforehand. And they are so disciplined that they carry out to the minutest detail the performance . . . to show that they are not disciplined."

Orlov further related that there were 18 Soviet spy rings operating in the United States, of which only two were exposed by Whittaker Chambers and Elizabeth Bentley.

Revisionism: Revision of former popular estimates of the last war's leaders came to the fore in the past week.

Field Marshal Viscount Alanbrooke, Britain's top strategist and chief of the Imperial Staff during the past war, commented on Generals Eisenhower, Marshall and MacArthur in a book published this week in London. A.P. and U.P. dispatches from the British capital reported that Alanbrooke was rather critical of the man who is now American President, saying: "He [Ike] learned a lot during the war, but strategy, tactics and command were never his strong points. . . . As Supreme Commander, what he may have lacked in military ability, he greatly made up for by the charm of his personality." General George C. Marshall, Chief of Staff, was — according to Alanbrooke — "a big man" who did not "impress me by the ability of his brain."

On the other hand, the British General could not speak too highly of General Douglas MacArthur — a surprising view, because the victor of the Pacific campaigns has never enjoyed popularity in England. Alanbrooke called MacArthur "the greatest general" of World War II and deemed his island hopping campaign in the Pacific "sheer genius." Alanbrooke said: "From everything I saw of him, I put him down as the greatest general of the last war"; "he certainly showed far greater strategic grasp than Marshall." The Viscount added, "I have often wondered since the war how different matters might have been if I had had MacArthur instead of Marshall to deal with."

Military circles in the Capital, noting how this top British strategist rated MacArthur, bring up the question: "Why has General MacArthur never been consulted by the Administration or the Joint Chiefs of Staff since 1952?" High officials in the Pentagon — it is known — have been discouraged from calling on the "General in the Waldorf," and many veteran officers known to be great admirers of MacArthur have been retired from service.

Letter from MRS. AMOS PINCHOT: "The only way to get the real news out of Washington is to read HUMAN EVENTS. I need a right eye as well as a left to bring the political scene into focus."

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Article Section

CAN REUTHER'S BOYCOTT BRING KOHLER TO ITS KNEES?

By Reverend Edward A. Keller, C.S.C.
Professor of Economics, University of Notre Dame

"It seems to me that it is almost sinful to have any labor dispute degenerate to the point this one has — where we actually have to wreck the company. That's what we're doing, wrecking the company."

So spoke Don Rand, International Representative of Walter Reuther's U.A.W., to a reporter of *The Wall Street Journal* (August 9, 1956). Rand was referring to the U.A.W. national boycott of the Kohler Company, the second largest manufacturer of plumbing ware in the United States.

Fifteen regions across the country are said to have full-time special representatives seeking support for the boycott. In addition, 65 strikers are employed in Sheboygan, Wisconsin, to prepare and disseminate boycott leaflets and pamphlets. The U.A.W. is attempting to enlist the support of other unions, employers, contractors and architects in its boycott effort. U.A.W. representatives also seek to persuade city councils, county boards, and some state legislatures to adopt resolutions directing their purchasing agents not to buy Kohler products, and not to contract with builders who submit bids based on use of Kohler products. The boycott resolutions vary in certain particulars, but usually they mention Kohler products; they also urge boycotting of employers found guilty of unfair labor practices by the National Labor Relations Board. In some instances the resolution urges a boycott of any employer against whom charges have been preferred by the union, and against whom the N.L.R.B. General Counsel has issued a complaint.

The following language from a resolution introduced in the Minneapolis City Council is an example of such a broad resolution:

> No bids for materials, supplies or merchandise of any kind or nature for any department under the jurisdiction or supervision of the City Council shall be accepted unless such bids contain the following provision: *That any labor troubles or disputes, actual or threatened from whatever cause arising, and whether or not the demands of the employees involved are reasonable and within the power of any party to bid or contract to concede . . .* shall excuse the city, at its option, from the performances of any unexecuted contract or bid or any unexecuted portion of such contract or bid, and the City shall not be liable in damages because of its action taken pursuant to the terms of this ordinance. (Italics added.)

Nine government bodies have adopted boycott resolutions.* The legality of such ordinances is highly questionable because most states require awarding of a contract to the lowest bidder. Even if legal, such a broad and loosely worded resolution as that quoted above should be opposed because it would force every contractor to grant any union demand, no matter how unreasonable, if he hopes to obtain a contract from the city.

The U.A.W. boycott of Kohler products is a significant modern development in the American labor movement. Union boycotts have generally been a weak weapon in the union's arsenal, but since the merger of the A.F.L. and C.I.O. the boycott may prove to be a potent weapon in forcing an employer to grant the demands of a union when strike and picket line have failed. Boycott director Rand admitted as much when he stated that "this is the most comprehensive boycott ever organized by labor because we now have the full weight of the combined A.F.L.-C.I.O. with us."

The open declaration of intention by the U.A.W.-C.I.O. "to wreck the [Kohler] company" — which employs some 3,000 workers, supplies products of which customers highly approve, and furnishes the nation with vitally needed defense products — poses the question of why a union feels it has the right to "wreck" a company which it has been unable to force to accept its demand by a strike. Only one answer, apparently, is indicated: the U.A.W. is making the Kohler boycott a test case to prove its power of compelling obedience by a threat of destruction.

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* Lincoln Park, Mich.; River Rouge, Mich.; Bristol, Conn.; New Britain, Conn.; Massachusetts House of Representatives; Boston, Mass.; Lynn, Mass.; Worcester, Mass.; Los Angeles County, Calif.

Resolutions were proposed but not adopted in the following 14 cities: New Haven, Conn.; Norwalk, Conn.; New Bedford, Mass.; Eau Claire, Wis.; Fond du Lac, Wis.; Green Bay, Wis.; Jonesville, Wis.; Jefferson, Wis.; Salem, Wis.; Sheboygan, Wis.; Stevens Point, Wis.; Wawatosa, Wis.; Virginia, Minn.; Pueblo, Colo.

In two cities, Milwaukee and Minneapolis, resolutions have been proposed but not acted on. Significantly, three cities — Waterbury, Conn.; Menasha, Wis.; Ansonia, Conn. — have rescinded resolutions which had been previously adopted.

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If the U.A.W. boycott against Kohler is successful, no employer, no matter how big or strong, would dare resist the demands of any union, with the threat of destruction hanging over him at the bargaining table. The destruction of the Kohler Company by boycott would demonstrate the complete monopoly power of the U.A.W.-C.I.O. This is why the entire nation has a vital interest in this long drawn-out, complicated labor dispute.

A short chronology will sketch the background of the boycott. In the fall of 1933, the Kohler Company was organized by an independent union, the Kohler Workers' Association. The A.F.L. attempted to organize the company in 1934. Despite a strike, accompanied by mass picketing and violence, which resulted in two deaths and injury to over 40 persons, the A.F.L. lost. From 1933 to 1952 the Kohler workers were represented by the independent union. In 1951 the U.A.W.-C.I.O. made its first attempt to secure representation status, but lost the N.L.R.B. election to the independent union. The U.A.W. made a second try in 1952, winning the election with less than a four per cent margin of votes.

On February 23, 1953, the first contract with the U.A.W. was signed by the Kohler Company. Its expiration date was March 1, 1954. Three months before the contract ran out, both the union and the company gave notice of termination of contract at the date of expiration. Negotiations on a new contract were begun.

The union operated for a month without a contract. The strike was called on April 5, 1954. The number on strike has been reported to be, at its highest, around 2,500. On the day the strike began, a reported 2,500 pickets massed in front of the plant gates. Production was halted for 54 days. Village police appeared to be unable, and county police appeared to be unwilling, to deal with the mass picketing and the attending violence.

THE COMPANY REFUSED to carry on negotiations as long as mass picketing and violence continued, holding that coercion of this kind prevents genuine collective bargaining. The company asked the Wisconsin Employment Relations Board, the State counterpart of the National Labor Relations Board, to order the union "to cease and desist." Wisconsin's so-called "right-to-work" statute states:

> Any person who by threats, intimidations, force or coercion of any kind shall hinder or prevent any other person from engaging in or continuing in any lawful work or employment, either for himself or as a wage worker, or who shall attempt to so hinder or prevent shall be punished by fine not exceeding $100 or by imprisonment in the county jail for not more than six months or by both fine and imprisonment in the discretion of the court. . . . (Sec. 343.683)

The W.E.R.B. found the union guilty of illegal picketing and ordered it "to cease and desist." Despite the W.E.R.B. order, the union continued its illegal activities, and on May 24, 1954, a riot occurred in which violence against both non-strikers and policemen took place. When the W.E.R.B. asked a circuit court to enforce its order against the union, the union stated it would henceforth comply.

The U.A.W. appealed the W.E.R.B. order on the grounds of pre-emption by the Taft-Hartley Act, since the Kohler Company operates an interstate business, and also applied to a Federal Court for an injunction to prevent the W.E.R.B. from proceeding. The Federal Court found against the union, as did the Wisconsin Supreme Court, whose decision was appealed by the U.A.W. to the United States Supreme Court. On June 4, 1956, by a 6 to 3 decision, the United States Supreme Court upheld the Wisconsin Supreme Court.

In the decision, the majority of the Supreme Court justices declared that the dominant interest of the state government in the presence of violence and property damage cannot be questioned, and that the state should be able to take action to stop violence, even though the union commits a Federal unfair labor practice which would normally come under the jurisdiction of the N.L.R.B. The Court declared that the states "are the natural guardians of the public against violence."

When mass picketing ceased a sufficient number of workers crossed the reduced picket lines so that production could be resumed. Last spring, after being out on strike for two years, the U.A.W practically admitted the strike was lost when it told the strikers to look for other jobs. At the same time strike benefits were stopped except for the strike leaders and "emergency cases." Spasmodic token picketing still continues. With the cessation of violence on the picket line, vandalism at the homes of some non-striking workers increased. The number of such acts is reported to have been between 700 and 800. The U.A.W. disavows agency in these "home demonstrations."

The importance of victory to the U.A.W. in this dispute is indicated by Emil Mazey, secretary-treasurer of the U.A.W.-C.I.O., who in December, 1956, at a meeting of civic clubs in Detroit, stated that the Kohler strike, now in its 34th month, had cost the U.A.W. ten million dollars; he further stated: "If the more than 2,000 Kohler strikers paid dues to U.A.W. for 250 years it would not make up for the amount the union has spent at Kohler."

Meanwhile, the U.A.W. has conducted a legal counterattack against Kohler. On July 12, 1954, the union filed charges before the N.L.R.B., accusing the company of a variety of unfair labor practices. The N.L.R.B. hearings, which opened on February 8, 1955, have not been terminated because they wait

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upon the testimony of a witness (John Gunaca) who fled to Michigan to avoid standing trial in Wisconsin on a charge of felonious assault. Michigan's Governor Williams has refused to extradite this witness to Wisconsin to stand trial. The N.L.R.B. subpoenaed Gunaca to testify in the Kohler case about a year after he went to Michigan and now agrees to take his testimony somewhere in Michigan.

In October, 1956, the N.L.R.B.'s Trial Examiner, George A. Downing, dismissed the alleged charges of unfair labor practices on the technicality that the U.A.W. trustees had failed to file the non-Communist affidavits required of them as "officers" of the union under the Taft-Hartley Act. The N.L.R.B. had refused to drop charges on similar grounds previously. It ruled that Robert Burkhart, a U.A.W. International Representative who was in charge of both the bargaining and the strike, was not an "officer" of the U.A.W. because the U.A.W.'s constitution does not designate International Representatives as "officers." The U.A.W. appealed Downing's decision to the N.L.R.B. On February 8, 1957, the Board overruled Downing, stating that "it is not for the Board to determine who should be the union's officers on the basis of the precise duties they perform." The case has been remanded to the Trial Examiner, to be heard "on its merits."

As this complex legal maneuvering goes on, the workers at Kohler are denied their right either to decertify the U.A.W. or to be represented by another union. A representation election cannot be held by the N.L.R.B. until final decision is rendered on the charges of unfair labor practices.

BECAUSE OF THE FAR-REACHING nature of the U.A.W.-Kohler dispute, the main issues involved need some explanation. The following comments are a personal evaluation of the issues as they have been publicized by both sides.

1) The main issue at present is the rehiring of the strikers, especially the 90 whom the company discharged for alleged violence on the picket line. These include many of the union officials and all of the executive committee. The union contends they were discharged for union activity. The N.L.R.B. General Counsel's office has dropped the cases of 18 of the 90 and is now proceeding on 72. The union also insists that the remaining strikers (somewhere between 1,600 and 2,500) be rehired. This obviously would require the Kohler Company to discharge the employees hired to replace the strikers. The company refuses, contending that the workers were not hired as strike-breakers but as permanent employees who voluntarily sought employment at Kohler. The solution to this problem will depend upon the determination by the N.L.R.B. of whether the dominant strike issue was economic or unfair labor practices. Under the Taft-Hartley Act, the employer is not obligated to rehire "economic strikers" who have been replaced. If, however, the cause of the strike is unfair labor practices, even when it is not the sole cause, the N.L.R.B. could order the company to rehire the strikers with full seniority and at the expense of those who displaced them. This would be true, also, if the strike were begun for economic reasons and then turned into an "unfair labor practice" strike by the employer's conduct. However, any "employee" loses his right to reinstatement if he engages in violence in a labor dispute.

The U.A.W. accuses the Kohler Company of refusing to bargain—an unfair labor practice—and blames the breakdown in collective bargaining on an alleged adamant anti-union stand taken by the Kohler Company. The N.L.R.B. will have to decide whether the Kohler Company refused to bargain in good faith or merely engaged in "hard" bargaining. It would seem that the willingness of the Kohler Company to renew the old contract without change for one year, and their offer of four drafts of a new contract do not indicate either a refusal to bargain or a dominating passion "to bust" the union.

2) Among the main original demands of the U.A.W. in negotiations was compulsory unionism, in the form of the union shop and maintenance of membership. The Kohler Company refused to grant either a union shop or maintenance of membership — taking the stand that while they acknowledged the right of their workers to belong to a union and bargain collectively, they felt they had no right to force their employees, by a union shop contract, to join a union. Although compulsory unionism was originally a main issue, the U.A.W. has dropped the union shop, while continuing its maintenance of membership demand.

3) Arbitration has been another hotly contested and highly publicized issue. Outsiders offered the suggestion that the issues in dispute be arbitrated. The company refused to arbitrate the writing of the contract, rightly contending that this would amount to a delegation of management to a third party, who had not the necessary knowledge to rule intelligently on the issues. Most management in the country would stand side by side with the Kohler Company on this issue.

An arbitration clause had been incorporated in the first contract signed by U.A.W. with the Kohler Company. However, the Company insisted that arbitration be limited to interpretation and application of the contract. The union contended this was not enough and demanded that grievances, especially grievance discharges, be submitted to arbitration. The union could point to many companies who do arbitrate disputed discharges; in fact, it has become standard procedure in most contracts.

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4) Another issue arose in this same area. The union demanded co-management in the form of veto power over or a sharing in the decisions of management, even going so far as to demand the right to veto the sub-contractors employed by the Kohler Company. Mr. Herbert Kohler correctly contended this could destroy competition and lead ultimately in this country to a European type of cartel arrangement.

5) Seniority was still another basic issue. The union demanded straight seniority on layoffs, rehiring, promotions and discharges with super-seniority for union officials. Strict seniority is very debatable. The C.I.O. is dedicated to it, and therefore opposed to incentive systems and merit increases. The Taft-Hartley Act forbids an employer to grant merit raises to a worker (even to a non-union worker in an open shop), without the permission of the union where it has won bargaining rights. The purported purpose of this requirement is to prevent an employer from weakening the union by favoritism; the real effect is to destroy worker incentive and to bolster the union's contention that all employers exploit their workers and that only through the union can the workers obtain anything from their employer. This does not work to the interest of the worker but serves to make real the fiction of Marxian class struggle.

The Kohler Company, however, can be accused of being too rigid in its attitude toward seniority. Some companies permit a modified seniority but do not allow plantwide seniority, thereby preventing the evils of plantwide "bumping." In defense of the Kohler Company, it should be pointed out that the company has not laid off a permanent employee in 20 years. Not hampered by rigid seniority, the company was able to move workers about the plant to jobs where the men could best be utilized, instead of laying them off as straight seniority might require.

IT IS INTERESTING to note that the above issues were in the non-economic area and that the two main economic issues, wages and pensions, were pushed to the background. In this significant fact, a key to the stalemate can possibly be found and a glimpse into the future of labor-management relations obtained.

Unions increasingly emphasize non-economic issues because they cannot seriously contend, except for propaganda purposes, that the American worker receives subnormal wages. The constant expansion of the scope of collective bargaining beyond the "bread and butter" issues of traditional American unionism is indication of a strong union drive toward co-management.

The economic issues can be played down because even the union admitted that wages were not a serious issue in the dispute. Moreover, it is a fact that the Kohler Company installed a pension system before the U.A.W. came into being and that its present pension system, while voluntary and a jointly contributory system, is in many respects more generous in its provisions than the standard U.A.W.-C.I.O. pension plan the union wishes to substitute for it.

The U.A.W.-Kohler dispute indicates the need for amending the Taft-Hartley Act:

1) The secondary boycott provisions of the Act should be strengthened to make illegal any secondary boycott — whether directed at employees, employers or government bodies. This is needed because of the potential monopoly power inherent in the merger of the A.F.L. and the C.I.O.

2) Secondary picketing — that is, picketing at any site other than that of the original dispute — should also be made illegal. Secondary picketing is a most effective means to enforce a secondary boycott. Also, picketing should be limited to employees of the company with whom the union has a dispute. This would prevent much violence on the picket line by eliminating the trained "educator" squads, who too often are the instigators of violence in a labor dispute.

3) The Act should clarify the "officer" issue. Congress, if it intended to prevent Communist influence from dominating unions, must have intended that those who function as officials by leading negotiations, strikes, etc., should file anti-Communist affidavits. The "Constitutional" test adopted by the Board seriously weakens this section of the Act.

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